

**Department of Personnel Administration
Memorandum**

TO: Personnel Management Liaisons (PML)

SUBJECT: Costs for Administration of Collective Bargaining Litigation and Arbitration	REFERENCE NUMBER: 2005-027
DATE ISSUED: 08/16/05	SUPERSEDES: 2004-011

This memorandum should be forwarded to:

**Accounting Officers
Budget Officers
Personnel Officers
Personnel Transactions Supervisors**

FROM: Department of Personnel Administration
Legal Division

CONTACT: Andrea McFarland, Staff Services Analyst
(916) 323-4754
Fax: (916) 323-4723
Email: andreamcfarland@dpa.ca.gov

The purpose of this memorandum is to notify departments of a rate change in legal services costs for the Department of Personnel Administration (DPA) Legal Division. Effective July 1, 2005, the rate for attorney services will increase to \$146 per hour which follows the Attorney General's Office fee schedule. The billing rate for paralegal and law clerk services will also increase to \$92 per hour. Costs of all fees, including, but not limited to, filing fees, expert witnesses, and consultant costs may be billed separately, as DPA determines.

Government Code Section 19815.6 states that the Chief Counsel of DPA, independent of the Attorney General, is authorized to represent the State in all legal matters in which DPA is interested, before any administrative agency or court of law. Accordingly, all State departments and agencies will be represented by the DPA's attorneys for injunctive relief and formal hearings before the Public Employment Relations Board, at arbitrations held pursuant to the provisions of negotiated Memoranda of Understanding (MOU), and in all other labor law and nonmerit personnel matters in the state and federal courts. Representation by the DPA attorneys will be mandated in such cases regardless of whether the dispute arises at the departmental or DPA level. (Budget letter No. 01-04.)

/s/Curt Stracener

Curt Stracener
Deputy Chief Counsel